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OFFICE OF PETITIONS

In re Application of :
Furuichi et al. :
Application No. 09/919,667 : DECISION GRANTING PETITION
Filed: July 31, 2001 :
Attorney Docket No.16869S-030600US :

This is a decision on the petition filed January 25, 2002 (certificate of mailing November 7, 2001), to withdraw the Notice of Omitted Item(s).

On July 31, 2001, applicants filed the above-identified application. On September 7, 2001, the Office of Initial Patent Examination mailed a "Notice of Omitted Item(s) in Nonprovisional Application" (Notice), stating that the application had been accorded a filing date of July 31, 2001, and advising applicants that Figures 7-19 described in the specification appeared to have been omitted.

In response, on January 25, 2002 (certificate of mailing November 7, 2001), applicants filed, *inter alia*, the present petition and a copy of applicant's postcard receipt acknowledging receipt of 11 sheets of drawings on July 31, 2001. Additionally, applicant submitted copies of 10 sheets of drawings, containing Figures 1 and 3-19 with the present petition.

Upon review of the record, the drawing sheet containing Figures 1 and 3-19, deposited on July 31, 2001, have not been located among the application papers. However, the evidence is convincing that the application papers deposited on July 31, 2001, included the 10 drawing sheets consisting of Figures 1 and 3-19, which were subsequently misplaced in the United States Patent and Trademark Office. Therefore, the application, including Figures 1 and 3-19, was complete on filing and will be granted a filing date of July 31, 2001.

Accordingly, the petition is granted. No petition fee is necessary. The Notice of September 7, 2001, was sent in error and is hereby vacated.

The application file is being forwarded to the Office of Initial Patent Examination for further processing with a filing date of July 31, 2001, using Figure 2 submitted on that date, and

Figures 1 and 3-19, submitted on January 25, 2002, and the mailing of a corrected filing receipt. The Office records should indicate that 11 sheets of drawings (Figures 1-19) were submitted on filing.

Any inquiries related to this decision should be directed to the undersigned at (703) 306-5589.

Christina Tartera Donnell

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